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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/421,710	10/20/1999	DANIEL S. VENOLIA	M61.12-0144	4522

7590                    10/27/2003

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/421,710	VENOLIA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Angela A. Armstrong	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 21 April 2003.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-33 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

1. Applicant's arguments, see Appeal Brief, paper #14, page 8, last paragraph, filed April 21, 2003, with respect to claims 1, 2, 17 and 18 have been fully considered and are persuasive. The rejection of the claims has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art, Imade.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 13-14, 17-21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al (US Patent No. 6,075,534) in view of Tannenbaum (US Patent No. 6,233,560) and Imade (US Patent No. 6,311,160).

3. Regarding claims 1-3, 13-14, 17-21, and 29 VanBuskirk et al teaches

A minimal GUI for speech recognition in which the recognized text field and the system status visual user feedback component are combined together and can be displayed as embedded in the window of an application or can be a floating window at col. 1, lines 63-67, col. 5, lines 7-10 and col. 2, lines 60-63

Activating a microphone and displaying an indication that the microphone is active at col. 4, lines 42-51 and Figures 6 and 7

Art Unit: 2654

Variations in the volume of the user speech is displayed by a ribbon with fixed edge and movable edge to alter the shape and altering the color in response to variations in volume of the user speech (using speech signal value to determine coordinates of shape of display meter) at col. 2, lines 15-24.

Displaying the variations of the user speech with a moving ribbon or thermometer at col. 4, lines 26-32.

Although VanBuskirk et al teaches a floating window to provide a system status visual user feedback component, they do not specifically teach that the floating window should be placed near an insertion area. Refer to Tannenbaum who teach a method and apparatus for presenting proximal feedback of voice commands in which confirmation information is displayed on the screen at a location functionally related to the analyzed contents and context of the voice input (Abstract). Tannenbaum teaches that displaying the confirmation information at these areas of the screen avoids distractions associated with fixed location confirmation areas (Abstract).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition confirmation display system of VanBuskirk et al to implement displaying the visual feedback component on the screen in area related to the voice input, as taught by Tannenbaum, for the purpose of avoiding distractions associated with fixed location confirmation areas, as also taught by Tannenbaum.

VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Imade who teach speech to image reproducing apparatus, which

Art Unit: 2654

determined by computation the progress of the volume of the data being reproduced and provides a visual indication of that speech processing process (col. 5, line 56 continuing to col. 6, line 34).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Imade, for the purpose of providing the user with information as to whether the audio input was received and processed.

Neither VanBuskirk, Tannenbaum nor Imade specifically teach displaying a volume meter close to a progress meter. However, VanBuskirk et al teaches that the multiple function graphical user interface should supply information in the smallest space possible (col. 3, lines 49-52).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to display the volume meter close to the audio processing progress meter for the purpose of using the smallest space possible when implementing the graphical user interface, as suggested by VanBuskirk et al.

4. Claims 4-16, 20, 22-28, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over VanBuskirk et al, Tannenbaum and Imade in view of French-St. George et al (US Patent No. 6,018,711).

5. Regarding claims 4-12, 22-28, and 30-33, although VanBuskirk et al teach a shape that changes size and color based on the variations of the speech signal volume, neither VanBuskirk Tannenbaum, or Imade specifically teach a mathematical function or relationship that governs the rate of change of the graphic display. French-St. George et al teaches animated graphical

Art Unit: 2654

output in which the rate at which the animation diminishes in size is a linear function (abstract; col. 6, lines 60-67; col. 7, lines 1-21; col. 8, lines 9-53), for the purpose of improving of user feedback and control of the speech interface (col. 5, lines 32-36).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the speech recognition graphical user interface of VanBuskirk to implement animated graphical output in which the rate at which the animation diminishes in size is a linear function, as taught by French-St. George et al, for the purpose of improving of user feedback and control of the speech interface, as also taught by French-St. George.

6. Regarding claims 15-16, VanBuskirk et al do not specifically teach providing information on progress in decoding a speech input. Refer to Imade who teach speech to image reproducing apparatus, which determined by computation the progress of the volume of the data being reproduced and provides a visual indication of that speech processing process (col. 5, line 56 continuing to col. 6, line 34).

Therefore, it would have been obvious to one of ordinary skill at the time of invention to modify the system of VanBuskirk et al to implement displaying visual feedback information regarding processing of the audio input as taught by Imade, for the purpose of providing the user with information as to whether the audio input was received and processed.

Art Unit: 2654

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Angela A. Armstrong  
Examiner  
Art Unit 2654

AAA

October 18, 2003



RICHEMOND DORVIL  
SUPERVISORY PATENT EXAMINER